

United States District Court

for the
Western District of New York

United States of America

Case No. 24-mj-1219

v.

ANGEL RUIZ

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT 1

(Conspiracy to Possess with Intent to Distribute Heroin and Fentanyl)

Beginning in or about October 24, 2024, and continuing until in or about October 24, 2024, in the Western District of New York, and elsewhere, the defendant, **ANGEL RUIZ**, did knowingly, willfully, and unlawfully combine, conspire, and agree with others, known and unknown, to possess with the intent to distribute heroin and fentanyl, both Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); all in violation of Title 21, United States Code, Section 846.

COUNT 2

(Felon in Possession of Firearm)

On or about October 24, 2024, in the Western District of New York, the defendant, **Angel Ruiz**, knowing he had previously been convicted on or about June 26, 1996 in Erie County Court, New York, on April 14, 2004, in Erie County, New York, on February 19, 2008, in Erie County New York, and on June 16, 2022, in Erie County, New York, of crimes punishable by imprisonment for a term exceeding one year, unlawfully did knowingly possess, in and affecting interstate commerce, a FNX-9, .9 millimeter handgun, with no identifiable serial number, loaded with fifteen (15) rounds in the magazine; All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 3

(Possession of Firearm in Furtherance of Drug Trafficking)

On or about October 24, 2024, in the Western District of New York, the defendant, **Angel Ruiz**, in furtherance of drug trafficking crimes, for which he may be prosecuted in a court of the United States, that is, violations of Title 21, United States Code, Section 846, committed in a manner set forth in Count 1, the allegations of which are incorporated herein by reference, did knowingly and unlawfully possess a firearm; All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

ETHAN ROG

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Date: 2024.10.25 14:05:52
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Complainant's signature

ETHAN F. ROG
SPECIAL AGENT
DRUG ENFORCEMENT ADMINISTRATION

Printed name and title

Sworn to and signed telephonically.

Date: October 25, 2024

City and State: Buffalo, New York

J. McCarthy

Judge's signature

HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I, Ethan F. Rog, being duly sworn, hereby deposes and states:

1. I am a Special Agent of the Drug Enforcement Administration (“DEA”), within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18. I have been employed as a Special Agent since September 2017 and I am currently assigned to the Buffalo District Office, which is comprised of Special Agents and local law enforcement officers. Prior to my employment with the Drug Enforcement Administration, I was employed as a police officer and detective for the Hamburg, NY Police Department for approximately 6.5 years. During my employment in law enforcement, I have participated in numerous investigations concerning the distribution of narcotics and drug proceeds.

2. This affidavit is being submitted for a limited purpose, that is, a probable cause determination. Therefore, I have not presented all of the facts of this investigation to date. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from law enforcement officers and witnesses. This affidavit is

intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this manner.

3. I make this affidavit in support of an application for a Criminal Complaint charging **Angel RUIZ** with the following violation: conspiracy to possess with intent to distribute heroin and fentanyl, both Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 846; felon in possession of firearm, in violation of Title 18, United States Code, section 922(g)(1); and possession of firearm in furtherance of drug trafficking, in violation of Title 18, United States Code, section 924(c)(1)(A)(i).

PROBABLE CAUSE

4. The DEA and the United States Postal Inspection Service (“USPIS”) are currently conducting an investigation into a drug trafficking organization (“DTO”) shipping/receiving quantities of narcotics through the United States Postal Service (“USPS”). During February 2024, USPIS identified a pattern of parcels being shipped from Puerto Rico and California to various addresses in Buffalo, NY. Based on a variety of indicators, USPIS personnel determined several of these parcels to be suspicious and believed them to likely contain narcotics. Based on the investigation into the DTO to date, DEA and USPIS believe that RUIZ is a local drug trafficker who receives shipments of narcotics through USPS. Prior to October 24, 2024, investigators seized approximately three kilograms of cocaine and conducted surveillance of RUIZ appearing to retrieve other USPS parcels, suspected to contain narcotics, from various addresses.

5. In June 2024, based on the on-going investigation, a federal search warrant was granted authorizing a search of 105 Ross Avenue Buffalo, NY, a residence utilized by RUIZ, and a vehicle utilized by RUIZ. Following the search warrant being authorized, investigators were unable to determine if RUIZ had taken custody of any suspicious parcels, thus the search warrants were not executed.

6. In October 2024, USPIS personnel identified two USPS parcels, believed to be related to RUIZ, being shipped from California to 523 Plymouth Avenue (“Parcel 1”) and 229 Military Road (“Parcel 2”) in Buffalo, NY, with both parcels to be delivered on October 24, 2024. Based on a variety of factors, USPIS personnel believed the parcels to be suspicious in nature and likely contained narcotics. Parcel 1 was assigned the following USPS tracking number: 9505 5138 1344 4295 5666 07. Parcel 2 was assigned the following USPS tracking number: 9505 5128 5963 4295 6835 71.

7. On October 24, 2024, at approximately 9:00 a.m., investigators from DEA – Buffalo and the USPIS established surveillance in the areas surrounding 523 Plymouth Avenue and 229 Military Road. Upon establishing surveillance, investigators observed a grey van, displaying Texas license plate SYZ2205, parked in the driveway of 523 Plymouth Avenue. At approximately 9:46 a.m., investigators observed this vehicle drive out of the area, during which investigators identified the driver of the vehicle as **RUIZ**. At approximately 9:59 a.m., investigators observed the same van drive into and park in the area of 523 Plymouth Avenue. At approximately 10:05 a.m., investigators observed the van drive out of the area of 523 Plymouth Avenue. During this same time period, investigators observed an unknown

male (“UM-1”), riding a bicycle, leave 523 Plymouth Avenue, out of view. At approximately 10:11 a.m., this same individual, now carrying a brown paper bag, rode back to 523 Plymouth Avenue. At this time, USPIS personnel queried USPS records and determined Parcel 1 was marked as delivered at 10:10 a.m. While in the area of 523 Plymouth Avenue, investigators did observe various individuals appear to interact with the driver of the van.

8. At approximately 10:17 a.m., investigators observed the van park on Military Road, in front of 229 Military. After the vehicle parked, an investigator observed an unknown male, later identified as Anthony Fuentes, who had previously been observed exiting 229 Military, walk to and get into the van. After approximately two minutes, Fuentes exited the van, at which point the van drove out of the area.

9. At approximately 10:30 a.m., investigators observed the van arrive back at 523 Plymouth Avenue. After parking, an investigator observed UM-1 walk to the van, carrying what appeared to be a parcel, and got into the van. Shortly after, UM-1 was observed getting out of the van, empty-handed. Shortly after, the van left the area.

10. At approximately 10:36 a.m., investigators observed a USPS carrier deliver a parcel to 229 Military Road during which an investigator observed Fuentes standing outside the residence. Based on USPS business records, Parcel 2 was marked delivered at 10:37 a.m. At approximately 10:40 a.m., investigators observed the van park in the driveway of 229 Military Road. Shortly after parking, an investigator observed Fuentes, carrying a red bag, walk from the side of 229 Military Road to the van, then got into the front passenger seat of

the van. The van then left the area, driving north on Military Road. Investigators relayed the direction of travel of the van to a Buffalo Police Department Police Officer, who attempted to conduct a traffic stop of the van in the area of Hertel Avenue and River Rock Drive, however, the van failed to yield. Investigators continued following the van, which continued onto Rano Street, then onto Crowley Avenue, at which point investigators lost sight of the van. Within minutes, investigators located the van parked in the 100 block of Ross Avenue, in close proximity to RUIZ's residence – 105 Ross Avenue. Investigators also detained Fuentes, who was walking on Ross Avenue.

11. A contingency of investigators approached 105 Ross Avenue. While at 105 Ross Avenue, an investigator observed RUIZ exit the side door of 105 Ross Avenue before walking back into the residence. RUIZ then came back out of the front door of the residence, at which point he was detained. A short time later, Barbara Moses, RUIZ's girlfriend, exited the front door of the residence. While speaking with Moses, Moses relayed that RUIZ had entered the house through a rear window. Additionally, Moses provided investigators with written consent to search the residence at 105 Ross Avenue. Moses indicated that she lives at the residence with Ruiz. During a search of the interior of the residence, investigators located inside a Livingroom couch a quantity of what appeared based on your affiant's training and experience to be cocaine/crack-cocaine. A quantity of pills was located in a bathroom. Further, investigators recovered inside a safe in the back bedroom one (1) FNX-9 handgun¹

¹ Your affiant provided Alcohol, Tobacco, Firearms and Explosives SA William Farnham with pictures and a description of the gun. SA Farnham determined, pending a physical exam, this firearm was manufactured and/or assembled outside of New York State, thus affecting interstate commerce.

with a magazine containing 15 rounds of 9mm ammunition, and an undetermined amount of U.S. currency. Ruiz told investigators that the safe belonged to him and provided them with the passcode.

12. Additionally, over the fence in the rear yard of 105 Ross Avenue, investigators located Parcel 1 and Parcel 2, with Parcel 2 still contained inside a red bag. Investigators confirmed these parcels to display that same USPS tracking numbers previously referenced. A subsequent search determined Parcel 1 to contain various items and a rectangular, compressed, white, substance weighing approximately 1,184 grams. This substance field tested positive for fentanyl. A subsequent search determined Parcel 2 to contain various items and a rectangular, compressed, black/brown substance weighing approximately 1104 grams. This substance field tested positive for heroin. This large quantity of controlled substance is indicative of drug distribution rather than simple possession.

13. Through the course of the investigation, your affiant became aware that RUIZ was previously convicted on or about June 26, 1996 in Erie County Court, New York, on April 14, 2004, in Erie County, New York, on February 19, 2008, in Erie County New York, and on June 16, 2022, in Erie County, New York, of crimes punishable by imprisonment for a term exceeding one year.

14. **WHEREFORE**, based on the foregoing, I respectfully submit probable cause exists that **Angel RUIZ** committed the following violations: conspiracy to possess with intent to distribute heroin and fentanyl, both Schedule II controlled substances, in violation of Title 21,

United States Code, Sections 841(a)(1), 841(b)(1)(C), and 846; felon in possession of firearm, in violation of Title 18, United States Code, section 922(g)(1); and possession of firearm in furtherance of drug trafficking, in violation of Title 18, United States Code, section 924(c)(1)(A)(i).

ETHAN ROG

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ETHAN ROG
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Ethan F. Rog
Special Agent
Drug Enforcement Administration

Sworn to before me telephonically,
this 25th day of October, 2024



HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE